



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.2810 of 2017

Muralirajan

: Petitioner

-Vs-

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Deputy Superintendent of Police,
District Crime Branch,
Dindigul District.
3. The Inspector of Police,
District Crime Branch,
Dindigul District.

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the third respondent and his subordinates not to interfere in civil dispute and not to harass or ill-treat the petitioner on the guise of enquiry.

For Petitioner	: Mr.R.Gandhi
For Respondents	: Mr.A.P.Balasubramani, Government Advocate (Crl.side)
For Defacto complainant	: Mr.A.Shajahan

O R D E R

Today, Mr.S.Muthukrishnan, Special Sub-Inspector of Police, District Crime Branch, Dindigul District, is present in Court.

2. When the matter was taken up for hearing, Mr.A.Shajahan, learned counsel entered appearance on behalf of Mr.S.R.Balasubramani, who is said to have lodged a complaint against the petitioner.

3. It is seen that S.R.Balasubramani had earlier lodged a complaint, which was enquired into by the Sub-Inspector of Police, District Crime Branch and the same was closed as civil in nature on 12.11.2016.



4. However, the learned Government Advocate (Criminal side) submitted that the said S.R.Balasubramani has given another complaint dated 04.01.2017 to the Superintendent of Police, which has been forwarded to the Inspector of Police, District Crime Branch, on 05.01.2017 and an enquiry is pending.

5. Under such circumstances, the petitioner is directed to participate in the enquiry and during enquiry, he shall not be harassed. During the course of enquiry, if any cognizable offence is made out, the respondent police is free to register an FIR and this order shall not be a shield for the petitioner against arrest. The respondent police shall bear in mind that earlier the complaint of S.R.Balasubramani has been enquired into and has been closed by the Sub-Inspector of Police and the same was counter-signed by the Inspector of Police, as early as on 12.11.2016.

6. With the above direction, this petition is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Deputy Superintendent of Police,
District Crime Branch,
Dindigul District.
3. The Inspector of Police,
District Crime Branch,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.A.SHAJAHAN, ADVOCATE IN SR No. 14429

SML

TE/SKN-RSK : 10/04/2017 : 2P/6C